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EDITOR'S NOTE

Morad Eghbal

LAW AND CINEMA: SOME INTRODUCTORY THOUGHTS TO A PERSPECTIVE

For too long, law, generally, and legal education, in particular, appears to have paid only passing attention to the interface between its own discipline and cinema. It might appear a contradiction in terms to investigate such a connection, but as every trained, skillful barrister, or litigator knows, one uses words to create for judge and jury images in the court room as such images relate to the case at bar, and often the more vivid and successful such endeavours are, the better the “connection” to the jury, or the trier of fact.

In the broadest sense, the visual arts, whether drawings, film, television, or the Internet, show a lasting interest in and fascination with the law and legal topics. Often they afford the audience an entertaining and safe place in which to explore the limits of legal principles.

Perhaps it is simply a matter of time and the right mix of circumstances which would converge from one end of the communication spectrum the written word and to the other end of that same spectrum the graphic image. We often think of law and the written word in one and the same context.

Is it not when we want to convey the idea of permanence and reliability of what has been said, agreed upon, or is being considered that we insist on it being written down? Is it not that to memorialize something, we have for ages and generations sought refuge in paper and pen to reflect a certain stage of our thoughts, regardless whether or not that paper used to be a parchment, or a flat slab of hard rock or a wax board or tablet, or now a computer monitor screen and the writing instrument used to be a quill, a maul and chisel, a stylus or a pin or keyboard with which to inscribe the surface?

Yet, *homo sapiens* has been drawing images long before its members developed the skill to communicate by the written word. Whether the lasting images of drawings by cave dwellers, or the refinement of Egyptian hieroglyphs, or the ideogram found in the abstractions of Kanji of Chinese and Japanese languages, they all represent one form of an image, or the other. In fact, writing words by aligning single letters can be seen as an act of creating

special imagery with the word ultimately representing an idea in a similar, but different way as a graphic image represents an idea.

The entire cognitive process also finds expression through and is in return influenced by the advent of the computer which has often bundled media, technology, and content in ways unimagined and unimaginable. Each screen contains a multitude of words and images which convey a sheer unending stream of ideas, some fleeting and ephemeral, others of lasting impact and more poignant in value. We have come to expect that certain elements, on the screen are always found in the place we expect them to be, or we have placed them for future use and reference. This adherence to cyber-conventions has in its predictability and creativity also a resonance and parallel in law.

Whereas we used to read a page in a certain order, whether from left to right, or from right to left, and from top to bottom—if the computer screen can be understood to represent an electronic page—then we continue to do what we did before when we read, but we also do so much more. To point out some, our cognitive processes are influenced by the iconography represented on the screen—and we may have come to think of its absence as a malfunction of the software, perhaps. We hardly look upon the computer screen anymore and expect the “traditional” and well-familiar white page filled in an orderly manner by a series of letters, discernable as words, sentences, and paragraphs of text.

For a global public which “consumes” the work product, cinema, as a discipline, continues to represent law in a series of ways. Sometimes such representations are close to reality, both the “Wirklichkeit” and the “Wahrhaftigkeit” of what the law is; sometimes such representations become caricatures, whether accidental or purposeful, in order to highlight certain features and characteristics of the law. At times, these representations can also be overwrought, wither and fail.

With the advent of the computer, the extraordinary growth in communications technology, and the continuing development of the “neural” cyber-networks, one can also discern growing scholarly attention on the interface between the written word and the image, to focus attention on the topic of law and cinema. The articles in this special issue of the Law Review represent a contribution to this growing global discussion and scholarship, and the editorial board of this Law Review under the able leadership of its Editor in Chief, Joseph Johnston, and its Articles Editor, Thomas Pilkerton, are to be commended for their collective and individual determination, diligence, and courage to devote a special issue to this important and evolving topic. A special thanks also goes to Tom Stahl and Constance Webb, my research

assistants, for their invaluable help in fashioning this issue as it now appears.

At the present stage of this evolving global dialogue, the colloquy takes place for a large part, geographically speaking, across the Atlantic Ocean. This appears to be so, because the North American continent, and with it the meccas of film, Hollywood, Marin County, and New York, on the one side, and Europe, with her film centres, such as Cannes, Munich, and London have long represented centres of both cinema art and film scholarship. Even so, globally speaking, there are many other such centres in Asia (Tokyo, Shanghai, and Hong Kong) and the South-Asian sub-continent, such as India (with "Bollywood"), and Australia—simply to name a few, which are not yet integrated in a meaningful way in this global discourse.

The authors of the articles this issue contains represent a sampling of this mix of colloquy across the Atlantic and each in her, or his own way has contributed to the advance of thought and scholarship in this growing area. I am grateful to each of them for our collaboration and for the articles they have provided.

Just like an object cast in a pond makes concentric circles, the contribution which this special issue represents will enrich this evolving dialogue. In turn to advance thought, scholarship and research in the future across cultures, traditions, and artificial distinctions to as yet undiscovered realms and new discoveries on the topics of law and cinema.